

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF OHIO

BRADLEY L. BRADFORD,

Petitioner,

vs.

BRANDESHAWN HARRIS,
Warden,

Respondent.

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CASE NO. 1:19-cv-817

OPINION AND ORDER
[Resolving Doc. 1]

JAMES S. GWIN, UNITED STATES DISTRICT JUDGE:

On April 12, 2019, Petitioner Bradley L. Bradford, an Ohio inmate serving an 11-year aggregate sentence for his role in a gang-related drive-by shooting, petitioned this court for federal habeas corpus relief under 28 U.S.C. § 2254.¹ Petitioner argued only that there was insufficient evidence to convict him of improperly handling firearms in a motor vehicle and discharging a firearm into a habitation.² The Court referred the matter to Magistrate Judge David A. Ruiz.

On February 25, 2020, Magistrate Judge Ruiz issued a Report and Recommendation (“R&R”) finding that Petitioner Bradford’s sufficiency of the evidence claim was both procedurally defaulted and meritless.³ Magistrate Judge Ruiz accordingly recommended that

¹ Doc. 1.

² *Id.*

³ Doc. 14.

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Bradford be denied § 2254 relief. Objections to the R&R were due by March 11, 2021.⁴ Petitioner Bradford filed no objections.

The Federal Magistrates Act requires a district court to conduct a *de novo* review only of those portions of an R&R to which the parties have made an objection.⁵ Failure to timely object waives a party's right to appeal the magistrate's report.⁶ Where a party does not object to the R&R, a district court may adopt it without review.⁷

Additionally, this Court has examined the petition and the return and agrees that Petitioner Bradford's sufficiency of the evidence claim is procedurally defaulted and meritless.

Accordingly, in light of Petitioner Bradford's decision not to object to the R&R in this case, the Court **ADOPTS** Magistrate Judge Ruiz's R&R, incorporates it as if fully restated herein, and **DENIES** Petitioner Bradford's § 2254 habeas petition.

IT IS SO ORDERED.

Dated: March 22, 2021

s/ James S. Gwin
JAMES S. GWIN
UNITED STATES DISTRICT JUDGE

⁴ *Id.*

⁵ 28 U.S.C. § 636(b)(1).

⁶ *Thomas v. Arn*, 474 U.S. 140, 154 (1985); *Gerth v. Warden, Allen Oakwood Corr. Inst.*, 938 F.3d 821, 827 (6th Cir. 2019).

⁷ *See Thomas*, 474 U.S. at 149–50.